

Docket: P910328

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yi Chou Chen

/ Examiner: Fenty, Jesse A

U.S. Serial No: 10/802,312

/ Group Art: 2815

Filed: March 17, 2004

For: METHOD OF FORMING A
CHALCOGENIDE MEMORY CELL
HAVING A HORIZONTAL
ELECTRODE AND A MEMORY
CELL PRODUCED BY THE METHOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. 1.131

I, Yi Chou Chen, declare as follows:

1. I am the inventor of the claims of the above-identified patent application.
2. Prior to June 6, 2003, I conceived the idea of forming a chalcogenide memory cell having a horizontal electrode, with a small cross-sectional area that makes electrical contact with a chalcogenide memory element, to thereby form the memory cell, as described and claimed in the referenced application.
3. A document illustrating my idea was prepared and transmitted to one of Macronix' s patent law firms, Stout, Uxa, Buyan & Mullins, LLP, prior to June 6, 2003 with a request and authorization that a U.S. patent application be prepared and filed on the material described in the document. A copy of the document is attached hereto as Exhibit A.
4. A patent application was subsequently prepared and filed by the law firm in the U.S. Patent and Trademark Office.

The below undersigned declares that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing therefrom.

8/23 2005
Date

Yi Chou Chen
Yi Chou Chen